

# BROOKDALE COMMUNITY COLLEGE COLLEGE REGULATION

## 3.9006R Drug Free Workplace

### I. Title of Regulation

Drug Free Workplace

### II. Objective of Regulation

To ensure that all employees know the requirements of the law and have access to the information needed for compliance.

### III. Authority

Drug Free Workplace Act of 1988 (PL 100-690] P.L. 100-690, 102 Stat. 4181; Title V, Subtitle D, [41 USC 701] 41 U.S.C. 701 – 707), Bylaws of the Board of Trustees, Board Policy 3.9006.

The Drug Free Workplace Act applies to Brookdale Community College as the recipient of federal grants, regardless of grant size or place where grant-funded activity occurs.

### IV. Regulation Statement

A. In order to comply with the Board of Trustees Policy on Drug Free Workplace, all employees will comply with the following:

1. Refrain from the unlawful manufacture, distribution, dispensation, possession or use of any controlled substance while on the College's premises or while conducting College business off premises. Violations will result in disciplinary action, up to and including termination, and may have legal consequences.
2. Participate in staff development programs which deal with drug awareness.
3. Adhere to all notification and statement requirements in the submission of grant proposals and applications.

B. Develop an awareness of all sanctions and/or penalties associated with the violation of the Drug Free Workplace Act. [See 3.9011R Alcohol and Drug Abuse Prevention Regulation.](#)

C. The Associate Vice President, Human Resources & Organizational Safety will ensure that the College Statement on Compliance with the Drug Free Workplace Act of 1988 is distributed appropriately. A copy of this Statement is attached to and made part of this College Regulation.

## **V. Responsibility for Implementation**

Associate Vice President, Human Resources & Organizational Safety  
Officers of the College

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Approved: President 4/89

Revised: 5/98

Approved: President 9/2/2019

## **BROOKDALE COMMUNITY COLLEGE**

### **Statement of Compliance**

### **Drug-Free Workplace Act of 1988 And**

### **The Standard of Conduct for the Drug Free Schools and Communities Act Amendments of 1989**

Pursuant to the Drug Free Workplace Act of 1989, PL 100-690 and the Drug Free Schools and Communities Act of 1989, P.L. 101-226 all Brookdale Community College employees are hereby notified that the unlawful manufacture, distributions, possession or use of any controlled substance or alcohol (except when alcohol is sanctioned by the proper College authority) are prohibited at any campus of Brookdale or location where College instruction or services are offered as part of any College activity. Any drug related violation of the law, off campus, may result in disciplinary action up to and including termination (N.J.S.2C:51-2). In addition, besides the aforementioned Federal Laws, there are the relevant New Jersey State Statutes which include but are not limited to N.J.S.2C: 35-1 Controlled Dangerous Substances, N.J.S.2C: 36-1 Drug paraphernalia, N.J.S.2C: 64-1 Forfeiture.

- I. All employees are hereby notified that as a condition of employment they must abide by the terms of the statement in Section I.
- II. Any employee convicted for violating any criminal drug statute occurring in the workplace or off premises while conducting school business must notify the

Associate Vice President, Human Resources & Organizational Safety in writing, of said conviction no later than five (5) days after such conviction. The College must then notify, within ten (10) days, if appropriate, the Federal Agency that provided funds for the program in which the convicted employee is employed.

- III. Any employee convicted of a criminal drug statute for a violation occurring in the workplace or off campus while conducting College business, pursuant to section 5152 (A) (1) (D) (II) of the Drug Free Workplace Act of 1988, shall be required to satisfactorily participate in a drug abuse assistance or rehabilitation program (the names of which will be supplied to the employee upon request by the Associate Vice President, Human Resources & Organizational Safety), and/or face disciplinary action which could result in termination (refer to J.S.A.2C:51-2). The above statement shall include violations relating to alcohol and alcohol abuse.
- IV. Statement of Compliance: Nothing in this statement should be considered as to deny the proper law enforcement officials from taking independent action, if it should be independently deemed desirable.

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENT.

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Witness Signature)      (Date)

\_\_\_\_\_  
**(Signature)**

Rev 8/2109